

34108

SERVICE DATE - OCTOBER 31, 2003

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

**STB DOCKET NO. AB-290 (Sub. No. 241X)
Norfolk Southern Railway Company – Abandonment Exemption –
in Aiken County, SC**

BACKGROUND

In this proceeding, Norfolk Southern Railway Company (NSR) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 for NSR to abandon 2.0 miles of rail line located between Milepost SA-49.0 at Oakwood and Milepost SA-51.0 at Montmorenci in Aiken County, South Carolina. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, NSR will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to NSR, the existence of the line along this right-of-way dates back to 1848-1852. The line was constructed at that time as a branch from the original main line of the South Carolina Rail Road Company. The Oakwood-Montmorenci segment is now the end segment of a dead-end branch line that springs from the NSR line between Columbia, South Carolina and Augusta, Georgia. NSR states that no traffic has originated, terminated or moved overhead on this line segment for at least two years. Consequently, no rail traffic will be diverted to highway mode as a result of the abandonment.

According to NSR, the line passes through undeveloped (60%), residential (25%), forest (10%), and industrial (5%) areas. There are no structures on the line that are 50 years old or older. The right-of-way is 200 feet wide, 100 feet on each side of the main track centerline. NSR has received no inquiries about public use of the right-of-way underlying the line segment to be abandoned and is unaware of any potential public purposes to which the right-of-way may be suited. NSR is not aware of any restriction on the title to the property which would affect the transfer of title or the use of property for other than rail purposes. After NSR exercises its abandonment authority for the line, its plan is to quitclaim the right-of-way to the South Carolina Department of Transportation for use as part of the U.S. Highway 78 widening project.

NSR states that it does not intend to appreciably alter the contour of the roadbed underlying the rail line to be abandoned. The areal extent of disturbed areas will be kept to a minimum and limited to the right-of-way wherever possible. There are no plans to undertake in-stream work, or dredge and/or fill any materials in connection with the proposed abandonment.

ENVIRONMENTAL REVIEW

NSR submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. NSR served the environmental report on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

NSR indicates that seven federally and/or state endangered species may occur in Aiken County - the Shortnose Sturgeon, Rafinesques's Bigeared Bat, Smooth Coneflower, Gopher Tortoise, Red-cockaded Woodpecker, Harperella, and the Relict Trillium. NSR is not aware of any critical habitat that would be destroyed or modified as a result of the proposed abandonment. Since salvage operations will be handled generally within the right-of-way, NSR does not believe that any endangered species that might be present would be adversely affected.

NSR states that the rail line proposed for abandonment does not cross waterways, but does pass through 100-year flood plains and is adjacent to wetlands. Because the geometry of the roadbed will not be significantly altered, NSR does not expect any discernible effects on either the 100-year flood plains or adjacent wetlands in connection with the proposed abandonment.

HISTORIC REVIEW

NSR submitted a historic report as required by the Surface Transportation Board's environmental rules [49 CFR 1105.8(a)]. NSR served the report on the South Carolina Archives & History Center (SHPO) pursuant to 49 CFR 1105.8(c). The SHPO has submitted comments stating that no historic properties listed in or eligible for inclusion in the National Register of Historic Places (National Register) would be affected by the proposed abandonment. We have reviewed the report and the information provided by the SHPO and concur with the SHPO's comments.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the section 106 process of the National Historic Preservation Act at 36 CFR 800.4(d)(1) and 36 CFR 800.8, we have determined that the proposed abandonment will not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 CFR 800.11(d), consists of NSR's historic report, all relevant correspondence, and this EA, which have been provided to the SHPO and made available to the public.

CONDITIONS

We recommend that no environmental conditions be placed on any decision granting abandonment authority.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and if the recommended conditions are imposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

ENVIRONMENTAL COMMENTS

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-290 (Sub No. 241X) in all correspondence addressed to the Board.** If you have any questions regarding this environmental assessment, you should contact Kenneth Blodgett, the environmental contact for this case by phone at (202) 565-1554, fax at (202) 565-9000, or e-mail at blodgettk@stb.dot.gov.

Date made available to the public: October 31, 2003.

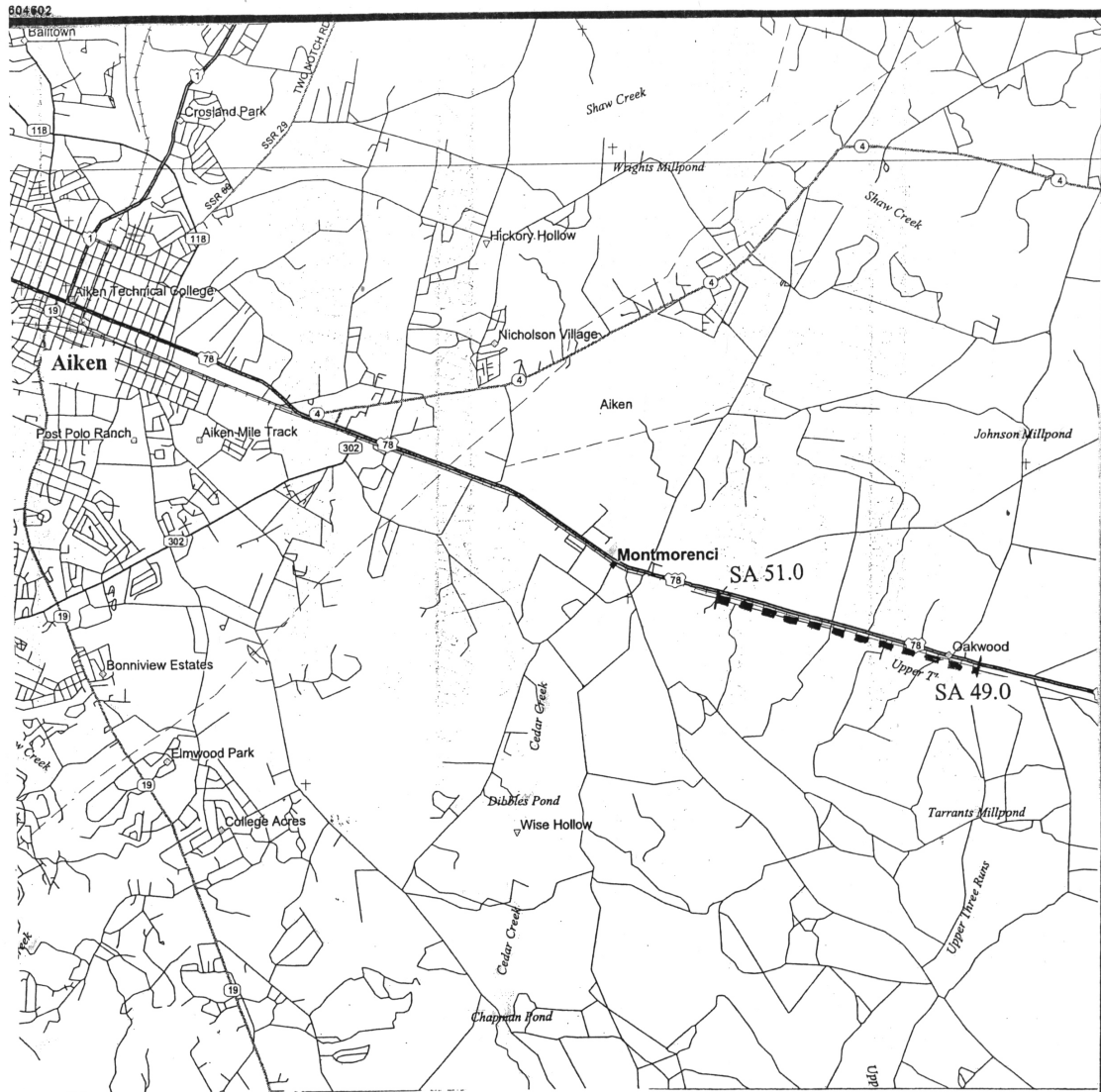
Comment due date: **November 17, 2003 (15 days).**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

EXHIBIT 1



NS NORFOLK SOUTHERN

Decision ID # 34108
AB-290 (Sub-No. 241X)

LOCATION	Aiken, South Carolina
TITLE	Proposed Abandonment SA 49.0 - SA 51.0

10 FILE
FIELD BOOK

SHEET OF